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Approved: _____

Jennifer L. Beidel
JENNIFER L. BEIDEL

Assistant United States Attorney

Before: HONORABLE PAUL E. DAVISON
United States Magistrate Judge
Southern District of New York

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SEALED COMPLAINT

UNITED STATES OF AMERICA :

- v. -

Violation of
21 U.S.C. § 846

KAIHIEM TAYLOR,
a/k/a "Killa,"

JEROME REED,
a/k/a "Popsie,"

DESHAWN SMALLS,
a/k/a "Scrap,"

NATHANIEL GRAHAM,
a/k/a "Happy,"

COUNTY OF OFFENSE:
WESTCHESTER

16m 2294

Defendants.

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SOUTHERN DISTRICT OF NEW YORK, ss.:

JEREMY DELLAPIA, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), and charges as follows:

COUNT ONE

1. From on or about April 7, 2015 to on or about February 4, 2016, in the Southern District of New York and elsewhere, KAIHIEM TAYLOR, a/k/a "Killa," JEROME REED, a/k/a "Popsie," DESHAWN SMALLS, a/k/a "Scrap," and NATHANIEL GRAHAM, a/k/a "Happy," and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that KAIHIEM TAYLOR, a/k/a "Killa," JEROME REED, a/k/a "Popsie," DESHAWN SMALLS, a/k/a "Scrap," and NATHANIEL GRAHAM, a/k/a "Happy," and others known and unknown, would and did distribute

and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substance involved in the offense was 28 grams and more of mixtures and substances containing a detectable amount of cocaine base, in violation of 21 U.S.C. § 841(b)(1)(B).

(Title 21, United States Code, Section 846.)

The bases for my knowledge and the foregoing charges are, in part, as follows:

4. I am an FBI Special Agent, and I have been personally involved in the investigation of this matter. This Affidavit is based upon my personal participation in the investigation, my examination of reports and records, and my conversations with other law enforcement officers and other individuals. Because this Affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

The Controlled Buys Involving a Single Defendant

5. On or about April 7, 2015, April 20, 2015, April 29, 2015, May 15, 2015, May 21, 2015, June 10, 2015, June 18, 2015, July 13, 2015, August 30, 2015, September 13, 2015, and September 25, 2015, law enforcement conducted controlled buys from KAIHEIM TAYLOR, a/k/a "Killa," the defendant. Based on my surveillance of and personal involvement in those controlled buys, I have learned, in substance and in part, the following:

a. At the direction of law enforcement, on or about April 7, 2015, April 20, 2015, April 29, 2015, May 15, 2015, May 21, 2015, June 10, 2015, June 18, 2015, July 13, 2015, August 30, 2015, September 13, 2015, and September 25, 2015, a confidential informant ("CI-1")¹ arranged to purchase cocaine

¹ CI-1 has been arrested in the state and charged with a drug crime and has been cooperating in hopes of getting a better sentence. CI-1 has also received \$3,500 over the course of this investigation. Law enforcement believes that the information CI-1 provided in connection with this investigation is reliable,

base from TAYLOR.

b. In preparation for each controlled buy, I or another law enforcement officer searched CI-1's person, confirmed that there was no contraband, and outfitted CI-1 with an audio recording device.

c. For each controlled buy, CI-1 was provided with between \$200 and \$400 in prerecorded buy money.

d. For each controlled buy, I and other law enforcement officers transported CI-1 to the predetermined location for the controlled buy in Peekskill, New York. I and other law enforcement officers then conducted surveillance of each controlled buy.

e. On or about April 7, 2015, April 20, 2015, April 29, 2015, May 15, 2015, June 10, 2015, July 13, 2015, August 30, 2015, and September 25, 2015, I and other law enforcement officers observed TAYLOR operating a vehicle (the "Taylor Vehicle") and observed CI-1 getting into that vehicle.²

f. On or about May 21, 2015, I and other law enforcement officers observed a hand-to-hand exchange between CI-1 and TAYLOR in an area near where TAYLOR was working for a utilities company for which he was employed.

g. On or about June 18, 2015, I observed a hand-to-hand exchange between CI-1 and TAYLOR in a park.

h. After each controlled buy, I and other law enforcement officers picked up CI-1 on the street after observing CI-1 walking away from the buy location, recovered the recording device from CI-1, searched CI-1 for contraband and found none, and took possession of a substance that CI-1 said CI-1 purchased from TAYLOR and that later tested positive for cocaine base.

6. On or about October 27, 2015, November 12, 2015, and November 19, 2015, law enforcement conducted controlled buys

as CI-1 provided information relating to this investigation that was independently corroborated.

² Based on my review of New York State car registration records, the Taylor Vehicle is registered in the name of "Kaihiem Taylor."

from DESHAWN SMALLS, a/k/a "Scrap," the defendant. Based on my surveillance of and personal involvement in those controlled buys, I have learned, in substance and in part, the following:

a. At the direction of law enforcement, on or about October 27, 2015, November 12, 2015, and November 19, 2015, CI-1 arranged to purchase cocaine base from SMALLS.

b. In preparation for each controlled buy, I or another law enforcement officer searched CI-1's person, confirmed that there was no contraband, and outfitted CI-1 with an audio recording device.

c. For the October 27, 2015, November 12, 2015, and November 19, 2015 controlled buys, CI-1 was provided with \$280, \$100, and \$100 in prerecorded buy money, respectively.

d. For each controlled buy, I and other law enforcement officers transported CI-1 to the predetermined location for the controlled buy in Peekskill, New York. I and other law enforcement officers then conducted surveillance of each controlled buy.

e. During each controlled buy, I and other law enforcement officers observed CI-1 meeting with SMALLS near a parking lot of an apartment complex.

f. After each controlled buy, I and other law enforcement officers picked up CI-1 on the street after observing CI-1 walking away from the buy location, recovered the recording device from CI-1, searched CI-1 for contraband and found none, and took possession of a substance that CI-1 said CI-1 purchased from SMALLS and that later tested positive for cocaine base.

7. On or about May 4, 2015 and May 5, 2015, law enforcement conducted controlled buys from NATHANIEL GRAHAM, a/k/a "Happy," the defendant. Based on my surveillance of and personal involvement in those controlled buys, I have learned, in substance and in part, the following:

a. At the direction of law enforcement, on or about May 4, 2015 and May 5, 2015, CI-1 arranged to purchase cocaine base from GRAHAM.

b. In preparation for each controlled buy, I or another law enforcement officer searched CI-1's person,

confirmed that there was no contraband, and outfitted CI-1 with an audio recording device.

c. For the May 4, 2015 and May 5, 2015 controlled buys, CI-1 was provided with \$250 and \$280 in prerecorded buy money, respectively.

d. For each controlled buy, I and other law enforcement officers transported CI-1 to the predetermined location for the controlled buy in Peekskill, New York. I and other law enforcement officers then conducted surveillance of each controlled buy.

e. On or about May 4, 2015, I and other law enforcement officers observed GRAHAM in front of his residence. GRAHAM and CI-1 then walked toward the back of the residence.

f. On or about May 5, 2015, after being dropped off at the predetermined location for the controlled buy, CI-1 contacted a law enforcement officer ("Officer-1") by phone to advise him that GRAHAM had changed the meeting location to GRAHAM's residence. I and other law enforcement officers surveilled CI-1 as CI-1 traveled to GRAHAM's residence and walked to the back of the residence.

g. After each controlled buy, I and other law enforcement officers picked up CI-1 on the street after observing CI-1 walking away from the buy location, recovered the recording device from CI-1, searched CI-1 for contraband and found none, and took possession of a substance that CI-1 said CI-1 purchased from GRAHAM and that later tested positive for cocaine base.

8. On or about June 24, 2015 and July 6, 2015, law enforcement conducted controlled buys from JEROME REED, a/k/a "Popsie," the defendant. Based on my surveillance of and personal involvement in those controlled buys, I have learned, in substance and in part, the following:

a. At the direction of law enforcement, on or about June 24, 2015 and July 6, 2015, CI-1 arranged to purchase cocaine base from REED.

b. In preparation for each controlled buy, I or another law enforcement officer searched CI-1's person, confirmed that there was no contraband, and outfitted CI-1 with an audio recording device.

c. For the June 24, 2015 and July 6, 2015 controlled buys, CI-1 was provided with \$300 and \$400 in prerecorded buy money, respectively.

d. For each controlled buy, I and other law enforcement officers transported CI-1 to the predetermined location for the controlled buy in Peekskill, New York. I and other law enforcement officers then conducted surveillance of each controlled buy.

e. On or about June 24, 2015, I and other law enforcement officers observed CI-1 meeting with REED on the sidewalk. I observed a hand-to-hand deal between CI-1 and REED.

f. On or about July 6, 2015, I and other law enforcement officers observed CI-1 meeting with REED on the sidewalk and then observed REED driving away in a vehicle.

g. After each controlled buy, I and other law enforcement officers picked up CI-1 on the street after observing CI-1 walking away from the buy location, recovered the recording device from CI-1, searched CI-1 for contraband and found none, and took possession of a substance that CI-1 said CI-1 purchased from REED and that later tested positive for cocaine base.

The Controlled Buys Involving Multiple Defendants

9. On or about June 4, 2015 and July 16, 2015, law enforcement attempted to conduct controlled buys from KAIHIEM TAYLOR, a/k/a "Killa," but was directed by TAYLOR to JEROME REED, a/k/a "Popsie," the defendant. Based on my surveillance of and personal involvement in those controlled buys, I have learned, in substance and in part, the following:

a. At the direction of law enforcement, on or about June 4, 2015 and July 16, 2015, CI-1 contacted TAYLOR on a cell phone number known to CI-1 as TAYLOR's and attempted to arrange to purchase cocaine base from TAYLOR. On or about June 4, 2015, TAYLOR told CI-1 that he was not in the area and that "his boy" would call CI-1. TAYLOR then received a call from REED, who advised CI-1 of the buy location. On or about July 16, 2015, TAYLOR told CI-1 to call "his worker," and CI-1 called REED.

b. In preparation for each controlled buy, I or

another law enforcement officer searched CI-1's person, confirmed that there was no contraband, and outfitted CI-1 with an audio recording device.

c. For the June 4, 2015 and July 16, 2015 controlled buys, CI-1 was provided with \$400 and \$300 in prerecorded buy money, respectively.

d. For each controlled buy, I and other law enforcement officers transported CI-1 to the predetermined location for the controlled buy in Peekskill, New York. I and other law enforcement officers then conducted surveillance of each controlled buy.

e. On or about June 4, 2015, I and other law enforcement officers observed CI-1 meeting with REED.

f. On or about July 16, 2015, I and other law enforcement officers observed CI-1 meeting with REED and then observed REED driving away in a vehicle.

g. After each controlled buy, I and other law enforcement officers picked up CI-1 on the street after observing CI-1 walking away from the buy location, recovered the recording device from CI-1, searched CI-1 for contraband and found none, and took possession of a substance that CI-1 said CI-1 purchased from REED and that later tested positive for cocaine base.

10. On or about August 13, 2015, law enforcement conducted a controlled buy from NATHANIEL GRAHAM, a/k/a "Happy," the defendant. Based on my surveillance of and personal involvement in that controlled buy, I have learned, in substance and in part, the following:

a. At the direction of law enforcement, on or about August 13, 2015, CI-1 contacted GRAHAM on a cell phone number known to CI-1 as GRAHAM's and arranged to purchase cocaine base from GRAHAM.

b. In preparation for the controlled buy, I or another law enforcement officer searched CI-1's person, confirmed that there was no contraband, outfitted CI-1 with an audio recording device, and provided CI-1 with \$340 in prerecorded buy money.

c. I and other law enforcement officers

transported CI-1 to the predetermined location for the controlled buy in Peekskill, New York, which was GRAHAM's residence. I and other law enforcement officers then conducted surveillance of the controlled buy.

d. I and other law enforcement officers observed CI-1 walk toward the back of GRAHAM's residence. I and other law enforcement officers also observed KAIHIEM TAYLOR, a/k/a "Killa," the defendant, across the street from GRAHAM's residence in a vehicle.

e. After the controlled buy, I and other law enforcement officers picked up CI-1 on the street after observing CI-1 walking away from the buy location, recovered the recording device from CI-1, searched CI-1 for contraband and found none, and took possession of a substance that CI-1 said CI-1 purchased from GRAHAM and that later tested positive for heroin. CI-1 also told me and other law enforcement officers that GRAHAM was awaiting the arrival of his cocaine base supplier and that he would contact CI-1 as soon as he obtained cocaine base.

f. I and other law enforcement officers then saw TAYLOR exit his vehicle and enter GRAHAM's residence.

g. Less than an hour later, GRAHAM contacted CI-1 to arrange the next controlled buy. I and other law enforcement officers transported CI-1 back to GRAHAM's residence and observed CI-1 walking to the back of GRAHAM's residence.

h. After the controlled buy, I and other law enforcement officers picked up CI-1 on the street after observing CI-1 walking away from the buy location, recovered the recording device from CI-1, searched CI-1 for contraband and found none, and took possession of a substance that CI-1 said CI-1 purchased from GRAHAM and that later tested positive for cocaine base.

11. On or about May 1, 2015, October 3, 2015, and February 4, 2016, law enforcement conducted controlled buys from DESHAWN SMALLS, a/k/a "Scrap," the defendant. Based on my surveillance of and personal involvement in those controlled buys, I have learned, in substance and in part, the following:

a. At the direction of law enforcement, on or about May 1, 2015, October 3, 2015 and February 4, 2016, CI-1 arranged to purchase cocaine base from SMALLS. On or about

October 3, 2015, CI-1 made those arrangements by contacting SMALLS on a phone number that had previously been used by KAIHIEM TAYLOR, a/k/a "Killa," the defendant, in connection with at least two controlled buys (the "Taylor Phone").³

b. In preparation for the controlled buys, I or another law enforcement officer searched CI-1's person, confirmed that there was no contraband, and outfitted CI-1 with an audio recording device.

c. For the May 1, 2015, October 3, 2015 and February 4, 2016, CI-1 was provided with \$200, \$300, and \$200 in prerecorded buy money, respectively.

d. For each controlled buy, I and other law enforcement officers transported CI-1 to the predetermined location for the controlled buy in Peekskill, New York. I and other law enforcement officers then conducted surveillance of each controlled buy.

e. On or about May 1, 2015, I and other law enforcement officers observed CI-1 approach the driver's window of the Taylor Vehicle, which had previously been used by TAYLOR in connection with at least eight controlled buys.⁴ SMALLS was a passenger in the Taylor Vehicle at the time.

f. On or about October 3, 2015, I and other law enforcement officers observed CI-1 meeting with SMALLS on the sidewalk.

g. On or about February 4, 2016, I and other law enforcement officers observed CI-1 meeting with SMALLS. At the time, SMALLS was operating the Taylor Vehicle.

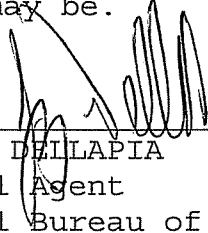
h. After each controlled buy, I and other law

³ On or about July 16, 2015, CI-1 called the Taylor Phone to arrange a controlled buy, but, as discussed above, TAYLOR instructed CI-1 to call TAYLOR's "worker," who turned out to be JEROME REED, a/k/a "Popsie," the defendant. On or about August 30, 2015, CI-1 called the Taylor Phone to arrange a controlled buy, which TAYLOR completed as discussed above.

⁴ On or about April 7, 2015, April 20, 2015, April 29, 2015, May 15, 2015, June 10, 2015, July 13, 2015, August 30, 2015, and September 25, 2015, TAYLOR drove the Taylor Vehicle to and from controlled buys with CI-1, as discussed in more detail above.


enforcement officers picked up CI-1 on the street after observing CI-1 walking away from the buy location, recovered the recording device from CI-1, searched CI-1 for contraband and found none, and took possession of a substance that CI-1 said CI-1 purchased from SMALLS and that later tested positive for cocaine base.

WHEREFORE, deponent prays that KAIHIEM TAYLOR, a/k/a "Killa," JEROME REED, a/k/a "Popsie," DESHAWN SMALLS, a/k/a "Scrap," and NATHANIEL GRAHAM, a/k/a "Happy," the defendants, be imprisoned, or bailed, as the case may be.



JEREMY DEILAPIA
Special Agent
Federal Bureau of Investigation

Sworn to before me this
5th day of April, 2016



HONORABLE PAUL E. DAVISON
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK